

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1471 OF 2006.

Tukaram Narayan Mohite & others. ... Petitioners.
Versus.
Dnyanu Shankar Mohite and others. ... Respondents.

Shri Umesh Mankapure for the Petitioners.
Shri Abhinandan B.Vagyani for the Respondent No.1.
Shri Sarang Aradhye for Respondents Nos.6 to 8.

CORAM : ABHAY S.OKA, J.

DATED : 8th February, 2007.

P.C.:

1. Heard the learned Advocate for the Petitioner. By this petition under Article 227 of the Constitution of India, the Petitioners are challenging the order dated 21st November 2005 passed by the District Court in an Appeal. By the said order, the order of injunction passed below Application at Exh.36 by the trial Court has been modified and both the parties to the suit are directed to maintain status-quo till final disposal of the suit. The said interim order passed by the District Court is operating from 21st November 2005 and there is no stay granted to the said order by this Court.

2. A perusal of the impugned order shows that it is based on prima-faice consideration of the material on

record. The order directs both the parties to maintain status-quo. No case is made out for interference in this petition.

3. Petition is rejected. As the suit is of the year 2000, hearing of the suit is expedited and the same shall be decided expeditiously and preferably before the end of year 2007. The suit will be decided on its own merits without being influenced by the impugned order and confirmation thereof by this Court.

Judge.